



California Regional Water Quality Control Board

San Diego Region

Winston H. Hickox
Secretary for
Environmental
Protection

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May 17, 2002

John Dillard, Esq.
313 North Birch Street
Santa Ana, California 92701

In Reply Refer to:
AST:40-449.05:bsp

Dear Mr. Dillard:

RE: CHEVRON PIPELINE RUPTURE, BELT STREET, SAN DIEGO, CALIFORNIA

The objections to Order No. R9-2002-0083 issued by the California Regional Water Quality Control Board, San Diego Region (Regional Board) on April 9, 2002, set forth in your letter dated May 3, 2002, are no longer timely. The Regional Board considered all of the contentions and documentation submitted pursuant to the Notice dated January 4, 2002, and addressed all significant issues raised by interested persons in the "Technical Analysis in the Matter of Responsibility for Cleanup of Petroleum Hydrocarbon Waste Discharged from the Chevron Products Company Underground Pipeline Beneath Belt Street in San Diego, California." The opportunity to request administrative review of this Order of the Regional Board, as provided for in Section 13320 of the Water Code, expired on May 30, 2002, (30 days after issuance of the Order) and AMEC has waived its right to raise objections to the Order by failing to avail itself of that opportunity.

Submission of an adequate workplan and preliminary site conceptual model by the City of San Diego will satisfy the requirements specified in the Regional Board's letter of November 13, 2001. However, be advised that until an adequate workplan and preliminary site conceptual model are submitted to the Regional Board, potential civil liability against the City of San Diego, AMEC, and Tri-County Drilling continues to accrue for their failure to submit the workplan and preliminary site conceptual model to the Regional Board by January 25, 2002. While the Regional Board has not commenced formal enforcement action, the Executive Officer could issue a Complaint for administrative assessment of civil liability for the failure at any time.

Should you have any questions regarding this letter please call Mr. Barry Pulver of my staff at (858) 467-2733.

Respectfully,

John H. Robertus
Executive Officer

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

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cc: Mr. Tony Clark, AMEC Legal Services, AMEC Inc., 900 Monenco Place,
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Mr. Chris Gonover, City of San Diego, 9601 Ridgehaven Court, Suite 310,
San Diego, California 92123-1623

Mr. Tim Duddie, Tri-County Drilling, Inc., 9921 Carmel Mountain Drive, Suite 265
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